

COURT OF APPEALS  
STATE OF NEW YORK

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ELENA RUTH SASSOWER, Coordinator  
of the Center for Judicial Accountability, Inc.,  
acting *pro bono publico*,  
Petitioner-Appellant,

**NOTICE OF MOTION  
TO STRIKE, FOR COSTS,  
SANCTIONS, DISCIPLINARY  
& CRIMINAL REFERRALS,  
DISQUALIFICATION OF  
ATTORNEY GENERAL, etc.**

-against-

AD 1<sup>st</sup> Dept. #5638/01  
S.Ct./NY Co. #108551/99

COMMISSION ON JUDICIAL CONDUCT  
OF THE STATE OF NEW YORK,

Respondent-Respondent.  
----- X

PLEASE TAKE NOTICE that upon the annexed affidavit of Petitioner-Appellant, ELENA RUTH SASSOWER, sworn to June 17, 2002, the exhibits annexed thereto, and upon all the papers and proceedings heretofore had, ELENA RUTH SASSOWER will move this Court at 20 Eagle Street, Albany, New York 12207-1095 on Monday, July 1, 2002 at 10:00 a.m. or as soon thereafter as Respondent-Respondent, New York State Commission on Judicial Conduct, and its counsel, the New York State Attorney General, can be heard for an order:

1. Striking the Attorney General's May 17, 2002 memorandum of law in opposition to Petitioner-Appellant's disqualification/disclosure motion, as likewise his May 28, 2002 letter responding to the Court's *sua sponte* jurisdictional inquiry, based on findings that each such document is a "fraud on the court", violative of 22

NYCRR §130-1.1 and 22 NYCRR §1200 *et seq.*, specifically, §§1200.3(a)(4), (5); and §1200.33(a)(5), with a further finding that the Attorney General and Commission are “guilty” of “deceit or collusion... with intent to deceive the court or any party” under Judiciary Law §487, and, based thereon, for an order: (a) imposing maximum monetary sanctions and costs on the Attorney General’s office and Commission, pursuant to 22 NYCRR §130-1.1, including against Attorney General Eliot Spitzer, *personally*; (b) referring Attorney General Spitzer and the Commission for disciplinary and criminal investigation and prosecution, along with culpable staff members, consistent with this Court’s mandatory “Disciplinary Responsibilities” under §100.3D(2) of the Chief Administrator’s Rules Governing Judicial Conduct, for, *inter alia*, filing of false instruments, obstruction of the administration of justice, and official misconduct; and (c) disqualifying the Attorney General from representing the Commission for violation of Executive Law §63.1 and conflict of interest rules;

2. Granting such other and further relief as may be just and proper, including referral of the record herein to the New York State Institute on Professionalism in the Law for study and recommendations for reform.

Dated: June 17, 2002  
White Plains, New York

Yours, etc.



ELENA RUTH SASSOWER

Petitioner-Appellant *Pro Se*

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Respondent-Respondent  
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